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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Amendment

Appl. No. : 10/673,348 Confirmation No. 3442
Applicant : Atsushi FUKUI et al.
Filed : September 30, 2003
TC/A.U. : 1745
Examiner : Angela J. Martin
Dkt. No. : SNY-040
Cust. No. : 20374

TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321(c)

Honorable Commissioner of
Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

September 27, 2005

Sir:

SANYO Electric Co., Ltd., having its place of business at 5-5, Keihanhondori 2-chome, Moriguchi-shi, Osaka 570-8677, Japan, is the assignee of the entire right, title and interest in United States Patent Application Serial No. 10/673,348, filed September 30, 2003, for NEGATIVE ELECTRODE FOR LITHIUM SECONDARY BATTERY, METHOD FOR PREPARING NEGATIVE ELECTRODE FOR LITHIUM SECONDARY BATTERY AND LITHIUM SECONDARY BATTERY, by virtue of an assignment recorded in

09/28/2005 JADD01 00000084 10673348

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U.S. PATENT APPLN. S.N. 10/673,348
TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321(c)

the United States Patent and Trademark Office in United States Patent Application Serial No. 10/673,348 on September 30, 2003, at Reel 014568, Frames 0655 to 0657.

SANYO Electric Co., Ltd., disclaims the terminal part, if any, of any patent granted on application Serial No. 10/673,348, which would extend beyond the expiration date of any patents granted on application Serial Nos. 10/329,571 and 10/363,039, filed December 27, 2002, and February 28, 2003, respectively, and directed to common subject matter, and hereby agrees that any patent so granted on application Serial No. 10/673,348 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patents granted on application Serial Nos. 10/329,571 and 10/363,039, this agreement to run with any patent granted on application Serial No. 10/673,348 and to be binding upon the grantee, its successors or assigns.

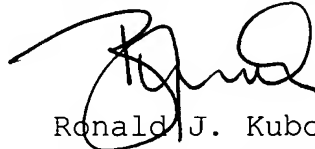
SANYO Electric Co., Ltd., does not disclaim any terminal part of any patent granted on application Serial No. 10/673,348 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of patents granted on application Serial Nos. 10/329,571 and 10/363,039, in the event

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that patents granted on application Serial Nos. 10/329,571 and 10/363,039, later expire for failure to pay a maintenance fee, are held unenforceable, are found invalid, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), have all claims canceled by a reexamination certificate, or are otherwise terminated prior to the expiration of their statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Date: September 27, 2005

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